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**Rules of**  
**Department of Transportation**  
**Division 10—Missouri Highways and Transportation**  
**Commission**  
**Chapter 22—Tourist Oriented Directional Signing Program**

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## Title 7—DEPARTMENT OF TRANSPORTATION

### Division 10—Missouri Highways and Transportation Commission

#### Chapter 22—Tourist Oriented Directional Signing Program

##### 7 CSR 10-22.010 Public Information

*PURPOSE: This rule informs interested persons how to obtain information and materials about tourist oriented directional signing.*

(1) General Information. Section 226.525, RSMo 1994 regulates signing of attractions on all classes of highways. The general assembly has delegated authority to the Missouri Highways and Transportation Commission to implement this statute. The commission's administrative rules 7 CSR 10-22, have the force and effect of law and should be read together with the statutes.

(2) Organization. The Missouri Highways and Transportation Commission controls and acts by and through the Missouri Department of Transportation which is administered by the director. The state is geographically divided into ten (10) department districts. Each district office is headed by a district engineer responsible to the chief engineer for supervising all departmental activities within that district. Counties in each district follow: District No. 1 includes Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway, Worth; District No. 2 includes Adair, Carroll, Chariton, Grundy, Howard, Linn, Livingston, Macon, Mercer, Putnam, Randolph, Saline, Schuyler, Sullivan; District No. 3 includes Audrain, Clark, Knox, Lewis, Lincoln, Marion, Monroe, Montgomery, Pike, Ralls, Scotland, Shelby, Warren; District No. 4 includes Cass, Clay, Henry, Jackson, Johnson, Lafayette, Platte, Ray; District No. 5 includes Benton, Boone, Callaway, Camden, Cole, Cooper, Gasconade, Maries, Miller, Moniteau, Morgan, Osage, Pettis; District No. 6 includes Franklin, Jefferson, St. Charles, St. Louis; District No. 7 includes Barry, Barton, Bates, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair, Vernon; District No. 8 includes Christian, Dallas, Douglas, Greene, Hickory, Laclede, Ozark, Polk, Stone, Taney, Webster, Wright; District No. 9 includes Carter, Crawford, Dent, Howell, Iron, Oregon, Phelps, Pulaski, Reynolds, Ripley, Shannon, Texas, Washington; and District No. 10 includes Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry,

St. Francois, Ste. Genevieve, Scott, Stoddard, Wayne.

(3) How to Obtain Information and Materials. Information and materials regarding logo signing may be obtained in person, or by writing or by telephoning the following District Engineer, Missouri Department of Transportation: District No. 1, 3602 North Belt Highway, Box 287, St. Joseph, MO 64502, (816) 232-3323; District No. 2, U.S. Route 63, P.O. Box 8, Macon, MO 63552, (660) 385-3176; District No. 3, Highway 61 South, P.O. Box 1067, Hannibal, MO 63401, (573) 221-2764; District No. 4, 5117 East 31st Street, Kansas City, MO 64128, (816) 921-7104; District No. 5, 1511 MO Boulevard, P.O. Box 718, Jefferson City, MO 65102, (573) 751-3322; District No. 6, 1590 Woodlake Drive, Chesterfield, MO 63017-5712, (314) 340-4100; District No. 7, 3901 East 32nd Street, P.O. Box 1445, Joplin, MO 64802, (417) 629-3300; District No. 8, 3025 East Kearney, P.O. Box 868, Springfield, MO 65801, (417) 866-3576; District No. 9, U.S. Business Route 63 North, P.O. Box 220, Willow Springs, MO 65793, (417) 469-3134; or District No. 10, U.S. Route 61 No. of U.S. Route 60, P.O. Box 160, Sikeston, MO 63801, (573) 471-4170.

*AUTHORITY: Art. IV, section 29, Mo. Const., sections 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998.\* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999.*

*\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972.*

##### 7 CSR 10-22.020 Definitions

*PURPOSE: This rule provides definitions of terms.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(1) Advertising agreement shall mean a contract between the program manager and each eligible attraction participating in the Tourist Oriented Directional Signing (TODS) Program.

(2) Commercial activity shall mean any business or service activity generally recognized as commercial by zoning authorities in this state.

(3) Commission shall mean the Missouri Highways and Transportation Commission.

(4) Department shall mean the Missouri Department of Transportation.

(5) Director shall mean the director of the Missouri Department of Transportation.

(6) Eligible attraction shall mean any tourist oriented activity that meets all of the criteria listed in section (20) of 7 CSR 10-22.020.

(7) Expressway shall mean a divided highway with partial control of access.

(8) Fee shall mean the amount of money assessed an eligible attraction annually for participation in the program.

(9) Freeway shall mean a divided highway with full control of access.

(10) Interchange shall mean a system of interconnecting roadways in conjunction with one (1) or more grade separations that provides for the movement of traffic between two (2) or more roadways or highways on different levels.

(11) Intersection shall mean the at-grade crossing of a state or United States highway and any other dedicated public roadway.

(12) Intersection leg shall mean a road leading away from or towards an intersection. They may be to the right, left, or straight ahead.

(13) Interstate system shall mean the national system of interstate and defense highways located in Missouri as officially designated by the Missouri Highways and Transportation Commission in accordance with Title 23 of the United States Code which is incorporated by reference in this rule.

(14) Minor traffic generator sign shall mean signs prescribed under 7 CSR 10-17.010(3).

(15) Program manager shall mean a person or entity awarded the administrative services contract for the purpose of operating the TODS Program and is authorized by the department to sign an advertising agreement for marketing, management, installation and maintenance of the TODS in accordance with these rules.

(16) Right-of-way permit shall mean a permit issued by the director, or its designee, to the program manager to occupy the highway right-of-way in or on the approaches to an intersection.

(17) Scenic byway shall mean a section of highway designated by the commission in accordance with 7 CSR 10-12.

(18) Service life shall mean the period of time during which a sign is in serviceable condition.

(19) Serviceable condition shall mean that a sign has not deteriorated due to loss of reflectivity, vandalism, accident, or natural disaster, to the point where the sign is unable to effectively perform its intended function. Signs with less than fifty percent (50%) of the minimum coefficient of retro-reflection requirements for new sheeting as required in the *Missouri Standard Specifications for Highway Construction*, section 1042.2.7.3, which is incorporated by reference in this rule, reflective sheeting Type 1 or 2, or that are judged to provide inadequate reflectivity, or have sustained significant damage are not in serviceable condition.

(20) Tourist oriented activity shall mean any natural phenomenon, historic site, cultural site, recreational site, educational site, museum, area of natural beauty or commercial activity as defined below, a major portion of whose income or visitors are derived during the normal business season from motorists. Attendance at which is no less than two thousand (2,000) customers in any consecutive twelve (12)-month period.

(A) Natural phenomenon shall mean a feature created by nature. Examples may include, but are not limited to, unusual rock formations, caves, geysers or waterfalls.

(B) Historic site shall mean a structure, site or district that has definite historical significance and shall be listed on the National Register of Historic Places.

(C) Cultural site shall mean any facility for the performing arts, exhibits, or concerts that is open to all age groups.

(D) Museum shall mean a facility open to the public at least one hundred (100) days per

year, in which works of artistic, historical, or scientific value are cared for and exhibited to the public.

(E) Educational site shall include, but is not limited to:

1. Zoological or botanical park, which shall mean a facility in which living animals, insects, or plants are kept and exhibited to the public; and

2. Winery or brewery, which shall mean a licensed site which produces a minimum of five hundred (500) gallons of wine and/or beer per year, which is open to the public for guided tours, tasting and sales a minimum of three hundred twenty (320) hours per year and provides an educational format for informing visitors about wine and/or beer processing.

(F) Area of natural beauty shall mean a naturally occurring area of outstanding interest to the general public. Examples may include, but are not be limited to, state or national parks, wilderness areas, mountain ranges, lakes, rivers, canyons, or similar areas.

(G) Recreational site shall include:

1. Recreational area, which shall mean an area that includes, but is not limited to, bicycling, boating, fishing, hiking, rafting, picnicking, snowmobiling, or cross country skiing;

2. Amusement parks, which shall mean a permanent area which is open to the general public for three (3) or more of the following activities: picnicking, hiking, swimming, boating, entertainment rides, food services, etc., and is in operation more than three (3) months per year;

3. Arenas, which shall mean a stadium, sports complex, auditorium, fairgrounds, civic or convention center or racetrack which holds public events open to all groups on at least forty-five (45) days of the year; and

4. Golf course, which shall mean a facility open to the public and offering at least nine (9) holes of play. Miniature golf courses, driving ranges, chip-and-putt courses and indoor golf shall not be eligible.

(21) Tourist Oriented Directional Signs (TODS) shall mean signs conforming to the specifications contained in the appropriate section of the federal *Manual on Uniform Traffic Control Devices*, which is incorporated by reference in this rule and this chapter.

(22) Trailblazing signs shall mean signs that are installed on the road leading away from an intersection directing motorist to eligible attractions, which are signed on an eligible leg, that are not visible from said intersection.

**AUTHORITY:** Art. IV, section 29, Mo. Const., sections 226.020, 226.130 and 226.525, RSMo 2000.\* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999. Amended: Filed Oct. 10, 2001, effective April 30, 2002.

\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972, amended 1999.

## 7 CSR 10-22.030 Intersection Leg Eligibility

**PURPOSE:** This rule defines the requirements necessary for an intersection leg to be eligible for Tourist Oriented Directional Signing.

(1) Intersection legs are eligible for the Tourist Oriented Directional Signing (TODS) Program if they—

(A) Are on state right-of-way owned and maintained by the commission.

(2) Those intersection legs where TODS will not be permitted are—

(A) Where minimum sign placement and spacing criteria required by the federal *Manual on Uniform Traffic Control Devices*, the department's standard plans and specifications for highway construction, the department's signing standards or guidelines for the TODS Program cannot be met for any reason. (With approval of the district engineer or its designee, existing signs may be relocated by the program manager to achieve minimum sign placement and spacing criteria, provided such relocation does not adversely affect the safety and/or operational characteristics of the intersection as determined by the district engineer or its designee); and

(B) Where safety and/or operational features, as determined by the district engineer, preclude the installation of these signs.

(3) TODS shall not be installed at interchanges on freeways or expressways.

(4) Whenever an intersection on an expressway is upgraded to an interchange, all TODS located at that interchange and any associated trailblazing signs shall be removed by the program manager.

(5) When an intersection leg is ineligible for the TODS Program due to the criteria contained within these rules, other intersection legs at that same intersection may remain eligible for the program.

(6) In addition to eligible tourist activities, commercial activities or services that do not meet the definition of tourist oriented activity in this chapter, may be considered for signing under the TODS Program, if the intersection for access to the commercial activity or service is located on a scenic byway and meets all other eligibility requirements.

**AUTHORITY:** Art. IV, section 29, Mo. Const., sections 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998. \* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999.

\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972.

#### 7 CSR 10-22.040 Tourist Oriented Activities Eligibility Requirements

**PURPOSE:** This rule defines the requirements necessary to qualify an attraction for TODS signing.

(1) No eligible attraction may discriminate or be discriminated against with regard to race, color, religion, sex, age, handicap or national origin. Each eligible attraction identified by Tourist Oriented Directional Signs (TODS) shall have furnished written and notarized certification to the program manager of its conformity with all applicable federal, state, and local laws, ordinances, rules and regulations, and shall not be in breach of that certification. Such certification shall be provided to the program manager before any TODS for that eligible attraction are constructed or installed.

(2) Tourist oriented activities wishing to participate in the TODS Program shall apply for the program on a form provided by the program manager and submit the applicable application fee. If the program manager finds the application to be complete and determines that the activity constitutes an eligible attraction and that TODS can be provided, the program manager shall so notify the applicant in writing. Upon receipt of the notice, the applicant shall forward to the program manager, the amount of the fee and thereupon shall execute an advertising agreement with the program manager.

(3) Before any tourist oriented activity is permitted to participate in the TODS Program, any existing illegal advertising devices pertaining to that tourist oriented activity shall be removed. The program manager shall contact in writing the department's

Division of Right-of-Way to determine the existence of illegal advertising devices. If within thirty (30) calendar days no answer is received from the Division of Right-of-Way, the program manager shall assume there are no illegal advertising devices in place pertaining to that activity.

(4) On scenic byways, only those tourist oriented activities and businesses that meet the following criteria may be considered for the TODS Program:

(A) Is within fifteen (15) miles of the intersection for which signing is sought;

(B) If the tourist oriented activity offers fuel, the following additional criteria apply:

1. Provide vehicle services to include fuel, oil and water;

2. Provide public restroom facilities and drinking water; and

3. Be in continuous operation twelve (12) hours a day, seven (7) days a week;

(C) If the tourist oriented activity offers food the following additional criteria apply:

1. Serve at least two (2) meals per day;

2. Display valid permit/license from the state agency or political entity having jurisdiction; and

3. Provide public restroom facilities and telephone available for public use;

(D) If the tourist oriented activity offers lodging the following additional criteria apply:

1. Display valid permit/license from the state agency or political entity having jurisdiction; and

2. Provide adequate sleeping accommodations and a telephone for public use; and

(E) If the tourist oriented activity offers camping the following additional criteria apply:

1. Display valid permit/license from the state agency or political entity having jurisdiction; and

2. The campground shall have sanitary facilities and water approved by the state of Missouri, Department of Health.

(5) A tourist oriented activity is eligible for signing at intersections within a thirty (30)-mile radius of the location of that activity.

(6) If the intersection crossroad is not a state or United States highway, the program manager shall notify the appropriate governmental authority that TODS will be erected directing traffic across their roadway facility. If trailblazing signs are required, the program manager shall obtain consent legislation or written permission from the appropriate local legislative body. The form, content and any modifications or special clauses to the con-

sent legislation shall have the prior approval of the director. No consent shall be considered binding without the required approval of the director.

(7) If trailblazing signs are required for a tourist oriented activity, and permission for erecting trailblazing signs cannot be obtained from the appropriate local authorities having jurisdiction that particular activity shall not be eligible for TODS at that intersection.

(8) At eligible intersection legs—if a new tourist oriented activity is established, or if a nonparticipating tourist oriented activity is interested in participating in the TODS Program, the tourist oriented activity may request to participate in the program. Additional applications will be considered in accordance with the priorities already established.

(9) If an eligible attraction, for which TODS are in place, ceases to be an eligible attraction, the signs shall be removed and participation in the program may be offered to the next eligible attraction.

(10) If an eligible attraction for which TODS are in place is sold, the new owner(s) shall submit a new program application. The previous owners shall be reimbursed by the program manager for any prepaid fees beyond the date of the termination of their advertising agreement. If the tourist oriented activity continues to be an eligible attraction the existing signs may remain in place, or if required, new signs may be installed.

(A) New signs shall be required if the name, logo or symbol changes. For the purposes of this paragraph, overlays are not permitted.

(B) A simple change of ownership does not constitute justification for erecting new signs.

**AUTHORITY:** Art. IV, section 29, Mo. Const., sections 226.020, 226.130 and 226.525, RSMo 2000. \* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999. Amended: Filed Oct. 10, 2001, effective April 30, 2002.

\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972, amended 1999.

#### 7 CSR 10-22.050 Sign Requirements

**PURPOSE:** This rule defines the appearance of the tourist oriented directional signs and provides criteria for the specific physical placement of the signs.



(1) The design, arrangement, size and location of Tourist Oriented Directional Signs (TODS), including advance signs and trailblazer signs shall conform to the applicable specification contained in the federal *Manual of Uniform Traffic Control Devices* and these rules.

(2) Standardized symbols for food, fuel, lodging and camping as well as recreational and/or cultural activities as found in the federal *Manual of Uniform Traffic Control Devices*, are the only symbols that may be used on the signs in conjunction with other directional information except as provided herein. Only one (1) symbol, one (1) logo, or one (1) symbol and one (1) logo may be displayed on any one (1) sign.

(3) Where sufficient space exists on an intersection leg for only one (1) intersection TODS assembly for tourist oriented activities in the left and right directions, participation in the program shall be offered to the first four (4) eligible attraction applicants in the combined left and right directions, where sufficient space exists on an intersection leg for two (2) intersection sign assemblies for tourist oriented activities in the left and right directions, participation in the program shall be offered to the first four (4) eligible attraction applicants in both the left and right directions. In either case, participation shall be offered to successive eligible attractions in the left and right directions until a maximum of four (4) signs per sign assembly is achieved. Where sufficient space exists on an intersection leg for an intersection assembly for tourist oriented activities in the ahead direction, participation in the program shall be offered to the first four (4) eligible attraction applicants meeting the requirements contained in this chapter. Participation shall be offered to successive eligible attractions in the ahead direction meeting the requirements contained in this chapter until a maximum of four (4) signs on the assembly is achieved.

(4) Eligible attractions may qualify for TODS at more than one (1) intersection on a particular approach direction to their activity. If the installation of signs at more than one (1) such location would prevent another eligible attraction from participating in the program, these additional signs shall not be installed. Before installation the applicant must designate their primary installation location.

(5) Only those eligible attractions not plainly visible to the driver proceeding on the cross-road will be considered for trailblazing signs. When required, all trailblazing signs shall be

erected prior to erecting the intersection signs.

(6) Signing for eligible attractions in the ahead direction shall be considered only when there is signing for a similar activity in either the right or left direction.

(7) Advance TODS may be installed in those situations where the district engineer, or its designee has determined that sight distance, intersection vehicle maneuvers, or other vehicle operating characteristics require advance notice of an eligible attraction in order to reduce vehicle conflicts and improve highway safety, provided intersection TODS are in place.

(8) When not more than four (4) TODS are to be installed on an approach to an intersection, the signs may be combined on the same assembly with the left turn signs above the right turn signs. Ahead signs shall not be used on such an assembly.

(9) If more than four (4) eligible attractions, in either the left or right direction, desire to participate in the program and less than four (4) eligible attractions in the opposite direction desire to participate in the program, one (1) TODS assembly with four (4) signs will be installed for the direction having more than four (4) eligible attractions. A second sign assembly will indicate all the eligible attractions in direction having less than four (4) eligible attractions. Any remaining space on the second assembly may be used to indicate the remaining attractions from the opposite direction. Signs in the ahead direction are not permitted on these assemblies.

(10) Except for eligible attractions providing fuel, food, lodging and/or camping—if the hours of operation of an eligible attraction are different than would be reasonably expected of that particular type of attraction, the program manager may include the hours of operation on the signs for that particular eligible attraction.

(11) No reimbursement shall be allowed to any participating eligible attraction due to road closures or detours established for any reason.

**AUTHORITY:** *Art. IV, section 29, Mo. Const., sections 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998.\* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999.*

*\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972.*

## 7 CSR 10-22.060 Administration

**PURPOSE:** *This rule provides information concerning obtaining, maintaining, and cost for tourist oriented directional signing.*

(1) The program manager, in conjunction with their marketing process, shall establish an application procedure for interested tourist oriented activities. Such procedure shall be approved by the director prior to implementation.

(2) Tourist oriented activities interested in participating in the Tourist Oriented Directional Signing (TODS) Program shall apply directly to the program manager.

(3) The program manager shall document and maintain records of all tourist oriented activities who are contacted or who contact the program manager regarding participation in the TODS Program.

(4) Fees assessed to eligible attractions for participating in the TODS Program shall be as set forth in writing by the program manager and shall be uniform for all eligible attractions. The program manager shall not revise the fees charged to eligible attractions for participation in the TODS Program without prior approval of the director. The fees shall be based on the actual cost of establishing, operating, and administering the program, including processing applications for right-of-way permits and providing necessary services for installing, maintaining, repairing, removing, and replacing signs for one consecutive twelve (12)-month period. In addition, the fee shall include all direct and indirect costs which shall include but not be limited to, the cost of capital, insurance, directional signs, sign supports, design, removal or relocation of other signs and off-season covering.

(5) The fees shall be established on a per sign basis. The fee for intersection and/or advance signs shall be identical. The fee for trailblazing signs is in addition to the fee for intersection/advanced signs and will only be assessed to those eligible attractions requiring trailblazing signs. The fee for symbols and/or logos is in addition to the fee for intersection/advanced or trailblazing signs and will only be assessed to those eligible attractions requesting the display of their logo and/or symbol.

(6) The operator of any participating attraction for which an advertising agreement is in effect must immediately notify the program manager for cancellation if the eligible attraction ceases to be such an attraction.

(7) At the end of their business season, eligible attractions not open year-round shall have a panel with the word “Closed” placed on their sign(s) by the program manager.

(A) Eligible attractions for which no TODS are displayed on an intersection leg due to insufficient space, shall not have TODS displayed during the off-season of an eligible attraction for whom signs are displayed.

(B) It shall be the responsibility of the eligible attraction to notify the program manager to install the closed panel on their TODS at the beginning of a closed season and to remove the panel at the beginning of the open season.

(C) If an eligible attraction is closed for more than two (2) weeks during the normal business season, a panel with the word “Closed” shall be placed on the sign(s). It shall be the responsibility of the eligible attraction to notify the program manager of any such closure.

(D) It shall be the responsibility of the program manager to monitor seasonal eligible attractions to make sure their signs are properly displayed.

*AUTHORITY: Art. IV, section 29, Mo. Const., sections 226.020 and 226.525, RSMo 1994 and 226.130, RSMo Supp. 1998.\* Original rule filed Feb. 8, 1999, effective Sept. 30, 1999.*

*\*Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; and 226.525, RSMo 1972.*